

North Middleton Township Planning Commission

June 21, 2022

The meeting of the North Middleton Township Planning Commission was held at the Township Municipal Building, 2051 Spring Road Carlisle, PA on June 21, 2022. Chairman Bradley Mitchell called the meeting to order at 6:00 pm. Present were Ronald Anderson, Bradley Mitchell, Harry Kelso, Scott Forsythe, Township Secretary Dana Billet, Engineer Doug Brehm, Solicitor Zachary Rice and Recording Secretary Tasha Cressler. Not in attendance were Township Manager John Epley and Medhi Atar.

Visitors: See attachment #1

Public Comment Non-Agenda Items

There was none.

Meeting Minutes – April 19, 2022

Ron Anderson made a motion to approve the minutes from April 19, 2022. Scott Forsythe seconded the motion, the motion carried.

Pending Applications:

Joint Use Driveway – Sketch Plan: The property is located at 590 North Middleton Road and contains an area of 6.56 acres.

Michael Wadel of Diffenbaugh Wadel Inc. indicated the green text and lines represent the proposed residential lot, and the red lines depict the joint use driveway on the sketch. The lot is fairly narrow and long and does not have frontage or lot width to sub-divide two lots and meet the requirements of the zoning ordinance.

Harry Kelso asked if there were many surrounding houses in the area. Mr. Wadel indicated there was a small trailer park down the road, but it is not a highly residential area. Bradley Mitchell asked if there were any other options, such as a flag pole and Mr. Wadel indicated the owner would like to use the existing driveway, as grades are a challenge for the property. A flag pole would likely need to be taken out on the eastern side, which may lead to a conflict with the septic field. Ron Anderson asked what the length of the driveway would be. Mr. Wadel estimated it would be between 600-700 feet. Engineer Doug Brehm did not have any conflicts with this proposal.

Scott Forsythe made a motion to recommend this sketch plan to the Board of Supervisors. Harry Kelso seconded the motion, the motion carried.

Velocity Cycles Land Development Plan #2022-05: The lot is located at 400 W. Suncrest Drive.

Velocity Cycles is currently located at 6653 Carlisle Pike and is the proposed business for this plan. The business sells motorcycles and accessories and performs maintenance on the vehicles

that are sold. The business, at full capacity, would maintain eight employees, display roughly 60 vehicles, and have four service bays. This plan has been revised to resolve comments from Doug Brehm, as well as the North Middleton Authority. There are sixteen remaining comments, which mainly involve waivers, signatures, and post-approval items. Doug Brehm indicated the technical comments have been resolved. Notes have been added to the plan which indicate what will and will not occur on the property to meet the requirements and ordinances.

Bradley Mitchell confirmed that the run-off calculations were resolved. Doug Brehm stated that the other properties and businesses surrounding the property let their water convey, as there is a large basin behind this site, and stormwater should not be an issue.

Scott Forsythe made a motion to recommend this plan to the board of supervisors subject to the completion of administrative comments and any outstanding engineering comments, seconded by Ron Anderson. The motion carried.

Velocity Cycles Land Development Plan #2022-05 Waiver Requests

Chapter 180, Section 24.A – Preliminary Plan: To submit the plan as a final plan and forgo a preliminary plan as required.

Scott Forsythe made a motion to approve waiver Chapter 180, Section 24.A, Harry Kelso seconded the motion. The motion carried.

Chapter 180, Section 37.C – Two or More Means of Ingress & Egress: To have less than two or more means of ingress & egress due to the limited size of the lot.

Scott Forsythe made a motion to approve waiver Chapter 180, Section 37.C, Ronald Anderson seconded the motion. The motion carried.

Chapter 180, Section 38.A – Sidewalk installation: To forgo installing sidewalks along the property.

Scott Forsythe made a motion to approve waiver Chapter 180, Section 38.A, Harry Kelso seconded the motion. The motion carried.

Brubaker Phases 2-4 Final Subdivision Plan #2022-02: The site is located on the west side of Waggoneers Gap Road, north of the PA Turnpike, and immediately adjacent to the Conodoguinet Creek.

Mr. Marcus McKnight shared his concerns on behalf of the Meeting-house cemetery and surrounding residents regarding the need for an access road to prevent their properties from being landlocked due to this land development. The cemetery is requesting a 50-foot right-of-way, 20-foot cart-way at the expense of the developer. A joint agreement will be needed for this right-of-way.

Mr. Aaron Bricker of RGS Associates indicated this plan is to further subdivide roughly 74 acres into an additional 113 lots. The property is within a Suburban Residential R1 zoning district. The

bulk of the engineering comments have been addressed, and Mr. Bricker confirmed that the zoning comments have been resolved.

Doug Brehm indicated the main issue remaining is the maintenance agreement regarding the right-of-way to be provided for the cemetery and surrounding properties. Solicitor Zachary Rice mentioned the involved parties met and worked to resolve the right-of-way. There are court orders which dictate access must be provided, but the details of how the access is provided has not been finalized. A 20-foot paved private driveway which is provided within a 33-foot private right-of-way is being proposed on this plan to prevent these lots from being land locked. The overall site plan, along with the more detailed plans for each phase provide details on how access will be maintained throughout each phase of development. Breeze Lane and American Avenue will be utilized to keep the access as far from the construction as possible to provide less inconvenience to the properties.

Doug Brehm stated there are a few technical questions remaining, including several lots with retaining walls in the back yard. Additional details should be supplied on the plan to indicate these slopes and drop offs to ensure the safety of the residents on these lots.

Chairman Mitchell asked why the developer would not use the full 50-foot right-of-way which the cemetery has requested. A 50-foot right-of-way could be used in the future as a through-way across the PA Turnpike. Mr. Bricker indicated that they were requesting a waiver for the 50-foot right-of-way width as there are two street stubs that are set up for road connections which run adjacent to the private right-of-way. This right-of-way the cemetery has requested may not be the preferred route for a through-way if such access is granted in the future by the PA Turnpike. The access to the cemetery is private and will likely stay that way, which is why the waiver is being requested. There are provisions in the plan to extend the roads if needed.

Mr. Bricker indicated there are a few stormwater comments which have been addressed and should be resolved. The stormwater design would remain unchanged. Mr. Bricker has been through a round or two of comments with Mr. White at the North Middleton Authority.

There are ten waiver requests, seven of which were on the original plan and phase one plan, and three that have been added.

Chairman Mitchell asked if there was any disadvantage to requiring the plan satisfies the newer ordinance revisions, since the original submission was approved so long ago. Doug Brehm indicated that this process changed in 2008. The decision was made not to require plans to change, even though the ordinances had. The only required updates were regarding stormwater management. These projects were required to obtain NPDES Permits which ensured the stormwater management was acceptable by DEP.

Chairman Mitchell voiced concern regarding the smaller pipe size of 15 inches, as opposed to the required minimum 18 inches. Mr. Bricker indicated the plans showed there was adequate capacity for the 25-year design storm, and a 15-inch pipe was not an abnormally small pipe for storm water management. Doug Brehm indicated the standard of 18 inches came from the

Public Works Department and was based on preference as opposed to any scientific research regarding the drainage.

Scott Forsythe voiced concern regarding the width of the right-of-way, due to Mr. McKnight's request for a 50-foot right-of-way. The developer intends to provide a 20-foot paved cart-way. The requirement is either 16- or 18-feet, therefore, this waiver would still ensure the required cart-way width is provided. Additionally, the developer is providing a paved cart-way while the requirement is stone or shale. The 33-foot right-of-way is the minimum acceptable width to PennDOT for a public street, however this proposal is not for a public street.

Harry Kelso made a motion to recommend the plan to the Board of Supervisors subject to the identified comments. Scott Forsythe seconded the motion, the motion carried.

Brubaker Phases 2-4 Final Subdivision Plan #2022-02 Waiver Requests

Section 180-24.B(1) – Plan Scale – New Waiver Request: To allow certain sheets within the final Subdivision Plan at a scale of 150 feet to the inch to show the overall plan in one snapshot.

Scott Forsythe made a motion to approve waiver Section 180-24.B(1), Ronald Anderson seconded the motion. The motion carried.

Section 180-34.F(1) – Cul-De-Sac Streets – New Waiver Request: To utilize a cul-de-sac street on Lantern Court which was proposed in the original plan submitted in the past. It is unclear if the Ordinance included a provision prohibiting permanent cul-de-sac streets at the time the original plan was approved.

Harry Kelso made a motion to approve waiver Section 180-34.F(1), Ronald Anderson seconded the motion. The motion carried.

Section 180-34.W(4)(b)[5] – Private Right-Of-Way – New Waiver Request: To utilize a right-of-way of only 33-feet wide instead of the required 50-foot width.

Zachary Rice requested clarification that the HOA documents would reference the maintenance or upkeep for the right-of-way. The current budget has been amended, and the HOA documents are in the process of being amended to ensure the proper maintenance of the right-of-way.

Scott Forsythe made a motion to approve waiver Section 180-34.W(4)(b)[5] with the stipulation that a maintenance agreement is established for the Board of Supervisors to review, Harry Kelso seconded the motion. The motion carried.

Section 180-33.N(4) – Intersection Design: To allow two intersections slightly over a 4% grade (between 4% and 5%), as well as allow four intersections a shortened straight approach vertically of less than 100 feet.

Scott Forsythe made a motion to approve waiver Section 180-33.N(4), Ronald Anderson seconded the motion.

Section 180-33.M – Driveway Entrances or Aprons within the Street Right-of-Way: To allow concrete driveway aprons between the sidewalk and edge of the street.

Harry Kelso made a motion to approve waiver Section 180-33.M, Ronald Anderson seconded the motion. The motion carried.

Section 180-35.A(2) – Block Length: To utilize the original site layout which may exceed 1,200 feet or be less than 500 feet in length.

Harry Kelso made a motion to approve waiver Section 180-35.A(2), Ronald Anderson seconded the motion. The motion carried.

Section 180-75 – Computations for Determining Runoff & Design of Facilities: To utilize the Rational Method rather than the Soil Cover Complex Method.

Scott Forsythe made a motion to approve waiver Section 180-75, Ronald Anderson seconded the motion. The motion carried.

Section 180-75.L – Minimum Velocity of Stormwater in Runoff Channels: To allow less than the minimum 1.5 feet per second.

Harry Kelso made a motion to approve waiver Section 180-75.L, Ronald Anderson seconded the motion. The motion carried.

Section 180-75.M – Minimum Pipe Size for Roadway Systems Proposed for Dedication To the Township: To utilize a minimum pipe size of 15 inches, as opposed to the required 18 inch minimum diameter.

Ronald Anderson made a motion to approve waiver Section 180-75.M, Harry Kelso seconded the motion. The motion carried.

Section 175-12.A(1): Increase in Post Development Runoff: To provide water quality measures rather than providing infiltration in soils.

Harry Kelso made a motion to approve waiver Section 175-12.A(1), Scott Forsythe seconded the motion. The motion carried.

New Business:

Chairman Mitchell shared that the Pennsylvania Municipal Planning Education Institute (PMPEI) offers several courses, including one on how to run a Planning Commission.

Adjournment


Chairman Mitchell adjourned the meeting at 7:02 pm.

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Respectfully Submitted,



Secretary Ron Anderson

Tasha Cressler

Recording Secretary